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June 12, 2024

By ECF

Honorable Kenneth M. Karas
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

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Re: *Caroline Reichert v. Casa Systems, Inc., et al.*
7:24-cv-00996-KMK

Dear Judge Karas:

We represent Defendants Casa Systems, Inc. (“Casa”), Jerry Guo, Alfred de Cardenas, James Collier, and Lucy Xie (collectively, the “Defendants”) in the above-captioned matter. On April 8, 2024, we informed this Court that Casa filed for Chapter 11 bankruptcy protection in the United States Bankruptcy Court for the District of Delaware and suggested that this action has been automatically stayed as to Casa by operation of 11 U.S.C. § 362. (Dkt. 16). We additionally moved to extend the automatic stay to the individual defendants due to the financial impact litigation expenses would have on Casa’s reorganization efforts since all four individual defendants were indemnified by Casa for the claims. (Dkt. 34-36). On June 5, 2024, Plaintiff Caroline Reichert (“Plaintiff”) filed an opposition to that motion. (Dkt. 37-39). Casa’s reply in support of the motion is due June 12, 2024.

The Defendants now write to inform the Court that Casa’s bankruptcy became effective at the conclusion of last week, on Friday, June 7, 2024. A copy of the Bankruptcy Plan is attached hereto as Exhibit A and a copy of the Notice of the Occurrence of the Effective Date in the bankruptcy proceedings is attached hereto as Exhibit B. Accordingly, the automatic stay will soon be terminated and no longer applicable. Therefore, Defendants respectfully filed a Notice of Withdrawal of their Motion to Expand Automatic Stay (Dkt. 40) as it will soon be moot.

The Bankruptcy Plan states that the indemnification obligation survives and vests post-bankruptcy with the administration of the estate. *See* Ex. A at p. 35. In light of these recent developments, Defendants respectfully seek a stay of 30 days as the estates transition under the Bankruptcy Plan. Plaintiff does not take a position as to this request. Defendants propose submitting a status letter to the Court in 30 days as to this matter.

We thank the Court for its consideration.

Respectfully submitted,

Proskauer»

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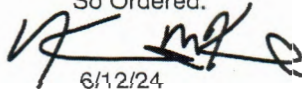


Alexandra (Lexie) R. Reynolds

cc: Mark Batten (via ECF)
Anne Clark (via ECF)

Granted. Counsel is asked to submit a
status report by 7/12/24.

So Ordered.


6/12/24